



**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

INTELLECTUAL PROPERTY LAW

8110 GATEHOUSE ROAD  
SUITE 100 EAST  
FALLS CHURCH, VA 22042-1248  
USA

(703) 205-8000  
FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

OTHER OFFICES:  
CARLSBAD, CALIFORNIA  
COSTA MESA, CALIFORNIA  
LOS ANGELES, CALIFORNIA



Date: January 15, 2004

Docket No.: 4450-0425P

**MS PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c), which claims priority under 35 U.S.C. § 119(e) of Provisional Application No(s). 60/440,313 filed on January 15, 2003.

Inventor(s): Ping PAN; Ralph HOFMEISTER

For: A METHOD AND APPARATUS FOR TRANSPORTING PACKET DATA  
OVER AN OPTICAL NETWORK

Enclosed are:

- ☒ A specification consisting of forty-seven (47) pages
- ☒ Twenty-six (26) sheet(s) of formal drawings
- ☐ Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). filed in on
  - ☐ Certified copy(ies) is(are) attached hereto.
  - ☐ Certified copy(ies) will follow.
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.



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- ☐ Preliminary Amendment
- ☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
- ☐ Information Disclosure Statement, PTO-1449 and reference(s)
- ☐ Applicant requests early publication - \$300.00 publication fee
- ☐ Non-publication Request and Certification under 35 U.S.C. § 122(b) (2) (B) (i)
- ☐ Other:
- ☒ Provisional application filed in English:  
☒ YES ☐ NO

If "NO," an English translation with a Statement of Accuracy:  
☐ is attached hereto ☐ will follow.

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	29-20=	9	x 18 = \$162.00	x 9= \$0.00
INDEPENDENT CLAIMS	3-3=	0	x 86 = \$0.00	x43= \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$932.00	\$0.00

- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- ☒ A check in the amount of \$932.00 to cover the filing fee is enclosed.

- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:  
BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Michael R. Cammarata, #39,491

MRC/clb  
4450-0425P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 12/18/03)